

PRESENT: Supervisor Brochey; Councilmembers Ceretto, Conrad, and Winkley; Deputy Supervisor Edwards; Town Attorneys Davis and Seaman; Building Inspector Masters; Town Engineer McGraw; Highway Supt. Janese; Chief Operator WWTP Ritter; Recreation Dir. Dashineau; Police Chief Salada; 3 Press; 16 Residents and Clerk Donna Garfinkel

EXCUSED: Councilman Bax

The Supervisor opened the meeting, followed by the Pledge of Allegiance and a moment of silent reflection.

The Town Clerk read the notice into the record:

**NOTICE OF PUBLIC HEARING
TOWN OF LEWISTON**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Lewiston on the 23rd day of February, 2015 at 6:00 p.m., at the Town Hall, 1375 Ridge Road, Town of Lewiston, New York, on the adoption of a proposed Local Law providing for an extension of moratorium on the disposal of sludge, sewage sludge and septage. An abstract of which is as follows:

The Town Board of the Town of Lewiston currently has under review amendments to the Town Code in regard to solid waste and recycling. The Town Board desires to review and address, in a careful manner, provisions relating to solid waste and recycling and the disposal of sludge, sewage sludge and septage on a comprehensive and town wide basis and to amend and/or adopt appropriate provisions to achieve these purposes. The Town Board of the Town of Lewiston finds it prudent and necessary to extend a moratorium applicable to solid waste and recycling and the disposal of sludge, sewage sludge and septage. This moratorium is intended to ensure that no approvals for such land use application be granted or permitted until this Board can complete its planning studies and has had an opportunity to consider and enact appropriate amendments to the Code.

The complete text of said Law is on file at the Office of the Town Clerk, and is available for review by any interested person during business hours. At such public hearing, all persons interested, who wish to be heard, will be heard.

Ordered by the Town Board

Dated: February 9, 2015

The Supervisor asked if any resident wished to speak.

Assemblyman John Ceretto – 685 Cayuga Drive – Ceretto distributed a Resolution that has been passed at the Town of Wheatfield. Wheatfield also did a local law, but at this time they reached out to Ceretto to do a Home Rule Statutory. It is a resolution from the Town that is given to Ceretto to present to the Assembly. This type of Home Rule Legislation is done in the Assembly in June.

Ceretto does have a State Law that bans the spreading of bio-solids or contaminates through-out the State. This is a local issue, and Ceretto hopes that with each Town getting involved it makes it stronger. Senator Robert Ort is also supporting these efforts and will carry it through to them.

Glasgow, Paulette – 836 The Circle – Glasgow understands that a State Law takes precedence over a local law. The Town should pursue the State law, and have a local law.

This was addressed in 1990 with regards to Green Lakes; The Board was told there could be a local law, but if there was State law it would take precedent.

Conrad said local law can be more specific and more restrictive, but not less than State law.

Davis said it depends. Certain State laws absolutely supersede local regulations. It depends on what the two laws say.

Ceretto said when he approached the Town of Wheatfield, there was a Town law in place and they are now in the middle of law-suits. They feel having a Statutory Home Rule would supersede this jurisdiction, so it would help them.

Winkley MOVED to close the Public Hearing, Seconded by Conrad and Carried 4 – 0.
(6:12 pm)

Respectfully Transcribed and Submitted by:

Donna R. Garfinkel - Town Clerk